

Sirhan Jury Asks Judge About 2d-Degree Verdict

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By George Lardner Jr.
Washington Post Staff Writer

LOS ANGELES, April 16—Wearily treading their way into the courtroom, the twelve jurors at Sirhan Bishara Sirhan's assassination trial called today for a clarification from the bench about second-degree murder.

Superior Court Judge Herbert V. Walker told them it turned, in Sirhan's case, on California's law of diminished responsibility.

Both defense and prosecut-

ing attorneys were wary about reading too much into the jurors' request, but it at least indicated that one or more of them may be leaning toward a second-degree verdict for Sirhan's killing of Sen. Robert F. Kennedy here last June.

Judge Walker told them they could not convict Sirhan of first-degree murder if they found a reasonable doubt he could "maturely and meaningfully premeditate, deliberate and reflect upon the gravity of his contemplated act, or form an intent to kill."

Sirhan's mental capacity for all this, the judge pointed out, could have been reduced by mental illness, drinking "or any other cause."

Turning to second-degree murder, he explained they could convict Sirhan of this, but only if they found they found that he still had the capacity "to harbor malice aforethought."

The jurors nodded. One, Ruth Stillman, an insurance adjuster, seemed to smile. Then they filed back upstairs, but only for about an hour, winding up another day without reaching a decision.

It was, in any event, the only signal from the jury room during the day. A first degree verdict would mean a sentence of either life imprisonment or death in the gas chamber. Second-degree murder carries an indeterminate sentence that could range anywhere from five years to life.

Earlier, defense lawyer Russell E. Parsons said Sirhan felt he might be swapped in a prisoner exchange with Jordan or some other Arab country if he draws a jail term. It appeared to be little more than wishful thinking.